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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/751684-Conf. #9139
Filing Date	December 29, 2000
First Named Inventor	Steven M. Blumenau
Art Unit	2187
Examiner Name	M. K. N. McLean

Total Number of Pages in This Submission		Attorney Docket Number	E0295.70139US00

ENCLOSURES (*Check all that apply*)

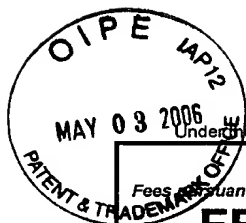|		
[X] Fee Transmittal Form	[ ] Drawing(s)	[ ] After Allowance Communication to TC
[X] Fee Attached	[ ] Licensing-related Papers	[ ] Appeal Communication to Board of Appeals and Interferences
[X] Amendment	[X] Petition For Revival of An Application For Patent Abandoned Unintentionally	[ ] Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
[ ] After Final	[ ] Petition to Convert to a Provisional Application	[ ] Proprietary Information
[ ] Affidavits/declaration(s)	[ ] Power of Attorney, Revocation Change of Correspondence Address	[ ] Status Letter
[ ] Extension of Time Request	[ ] Terminal Disclaimer	[X] Other Enclosure(s) (please Identify below):
[ ] Express Abandonment Request	[ ] Request for Refund	Request for Continued Examination (RCE)
[ ] Information Disclosure Statement	[ ] CD, Number of CD(s) _____	Remarks Establishing Unintentional Delay
[ ] Certified Copy of Priority Document(s)	[ ] Landscape Table on CD	Return Receipt Postcard
[ ] Reply to Missing Parts/ Incomplete Application		
[ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	WOLF, GREENFIELD & SACKS, P.C.
Signature	*[signature]*
Printed name	Richard F. Giunta
Date	April 28, 2006 Reg. No. 36,149

1019697.1

FEE TRANSMITTAL
For FY 2005

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

Complete if Known	
Application Number	09/751684-Conf. #9139
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Examiner Name	M. K. N. McLean
Art Unit	2187

[ ] Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	($) 2,290.00	Attorney Docket No.	E0295.70139US00

METHOD OF PAYMENT (check all that apply)

[x] Check [ ] Credit Card [ ] Money Order [ ] None [ ] Other (please identify): _____

[ ] Deposit Account Deposit Account Number: 23/2825 Deposit Account Name: Wolf, Greenfield & Sacks, P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

[ ] Charge fee(s) indicated below

[ ] Charge fee(s) indicated below, **except for the filing fee**

[x] Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17

[x] Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES Fee ($)	Small Entity Fee ($)	SEARCH FEES Fee ($)	Small Entity Fee ($)	EXAMINATION FEES Fee ($)	Small Entity Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - 20 =	_____ x	_____ =	_____

Multiple Dependent Claims

Fee ($)	Fee Paid ($)

Indep. Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - 3 =	_____ x	_____ =	_____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee ($)	Fee Paid ($)
_____ - 100 =	_____ /50	_____ (round up to a whole number) x	_____ =	_____

4. OTHER FEE(S)

Non-English Specification, $130 fee (no small entity discount)

	Fees Paid ($)
Other (e.g., late filing surcharge): 1801 Request for continued examination (RCE) (see 37 ...	790.00
1453 Petition to revive unintentionally abandoned ...	1,500.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	36,149	Telephone	(617) 646-8322
Name (Print/Type)	Richard F. Giunta			Date	April ____, 2006

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: _____ April 26, 2006 _____   Signature: *Eileen MacKenzie* (Eileen MacKenzie)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Steven M. Blumenau et al.
Serial No.:	09/751,684
Confirmation No.:	9139
Filed:	December 29, 2000
For:	METHOD AND APPARATUS FOR MANAGING ACCESS TO STORAGE DEVICES IN A STORAGE SYSTEM WITH ACCESS CONTROL

Examiner:	McLean Mayo, Kimberly N.
Art Unit:	2187

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the _28_ day of April, 2006.

Eileen MacKenzie

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REMARKS ESTABLISHING UNINTENTIONAL DELAY

Sir:

The above identified application was unintentionally abandoned following the expiration of the six month period following the Final Office Action mailed October 4, 2005. Of the sixty-six claims pending, the Final Office Action rejected claims 1-13, 15-21, 23-41, 43-57, 60-66, but indicated that dependent claims 14, 22, 42, 58 and 59 would be allowable if rewritten in independent form including all limitations of their respective base claim and any intervening claims.

In response to the Final Office Action, Applicant filed a Request For Reconsideration including arguments requesting withdrawal of the finality of the rejection. The Amendment was filed on December 5, 2005, within the two-month period following the mailing of the Final Office Action. Applicant received an Advisory Action, mailed January 4, 2006, indicating that

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the arguments made in the Request for Reconsideration were not persuasive. The Advisory Action maintained the position of the Final Office Action that dependent claims 14, 22, 42, 58, and 59 would be allowable if rewritten in independent form including all limitations of their respective base claim and any intervening claims.

In response, Applicant filed an Amendment on February 6, 2006 to take the subject matter indicated as allowable. In the Amendment, Applicant indicated that because the only claims left in the application were those indicated as allowable, all outstanding issues were believed to be resolved. Thus, Applicant expected a Notice of Allowance to be issued. While awaiting the Notice of Allowance, the six month period lapsed.

Shortly thereafter, Applicant received an Advisory Action mailed April 5, 2006, one day after the expiration of the six-month period. In the Advisory Action, the Examiner indicated that she had reconsidered her position because she felt that there was an inconsistency in claim 14. Upon receipt of the Advisory Action, Applicant realized that the application had unintentionally gone abandoned and telephoned the Examiner to inquire as to why an Advisory Action was mailed after the six-month date. The Examiner indicated that the Advisory Action was mailed in error.

Applicant encloses herein a Petition for Revival of an Application for Patent Abandoned Unintentionally. Applicant also submits herewith an RCE and an Amendment, pursuant to 37 C.F.R. §1.137(b)(1) that is believed to put the application in allowable condition, in view of the Advisory Action mailed April 6, 2006.

Respectfully submitted,
Steven M. Blumenau et al., Applicant(s)

By:

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Docket No.: E0295.70139US00
Date: April 28 , 2006